

Application No. 09/869,282
Amendment dated June 15, 2010
Reply to Office Action of March 15, 2010

REMARKS

Reconsideration And Allowance Are Respectfully Requested.

Claims 237-250 are currently pending. Claim 237 has been amended. Claims 1-236 were previously canceled. New claims 238-250 have been added. No new matter has been added. Reconsideration is respectfully requested.

Claim 237 stands rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2001/0034528 to Foerster et al. (Foerster).

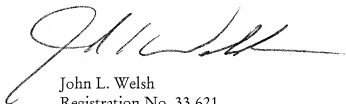
This rejection is overcome by the above amendments. In particular, Foerster does not disclose or suggest a marking device formed of two components, wherein the first component is a bioabsorbable suture-type material, the second component is a marker formed from a unitary piece of metal and the second component is carried by the first component.

Further, Foerster fails to disclose or suggest how a marking device wherein the first component includes multiple passes of the suture-type material forming a body with the second component carried therein as set forth in independent claim 244.

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It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested. If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact applicants' representative at the below number.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John L. Welsh', with a long horizontal flourish extending to the right.

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